

Appl. No. 10/664,621

Amdt. Dated November 3, 2004

Response to Office Action of August 6, 2004

REMARKS:

Applicants thank the examiner for the time and care taken in examining this application.

Amendments. Claim 1 has been amended by addition of the clause: wherein said lens retaining members clamp said eyeglass lens and retain said eyeglass lens so as to be capable of slanting said eyeglass lens in a clamped condition. Support for this change is found in the specification at, among other places, page 4, lines 16-22. The other claim amendments are for the purpose of removing hyphens from the word "slantably."

Section 102(b) and Section 103(a) Rejections. Applicants respectfully traverse the rejections and submit the following remarks in response thereto.

It is noted that, with respect to all of the originally filed claims 1-15, the invention was invented by all the inventors listed in the application, and the subject matter of the various claims was commonly owned at the time the invention covered herein was made.

Applicants respectfully traverse the finding that the combined features of the claimed invention are disclosed in or suggested by the cited references. None of the cited references discloses lens retaining members that clamp an eyeglass lens and retain the eyeglass lens so as to be capable of slanting the eyeglass lens even when the eyeglass lens is in the clamped condition. JP 08-155945 does not disclose such features, since retaining members disclosed therein are merely traditional retainers that have only the function of clamping the eyeglass lens, and are not slantable, as can be seen from Figures 1 and 2 thereof. Rather, what is slantable in JP08-155945 is a drilling device (50) arranged on a rotatable base (2), such that the drilling device (50) is directed to and

faces toward the lens in a predetermined direction on the basis of a calculated angle, to accurately drill the lens.

In regard to Tagnon and Shibata, it is respectfully submitted that there is no teaching or suggestion of the claimed features of the present invention in those references. Particularly, the retaining members disclosed in Tagnon are for compensating for prismatic effect and eliminating asymmetry of the lens, by the pivoting or swivel of a member (10a), to firmly hold the eyeglass lens such that a lens position determined by a centering device cannot be altered (see Tagnon, col. 1, lines 57-67). The retaining members disclosed in Tagnon are slanted at the time when a jaw (5b) moves in a direction of a spindle axis (30) and the member (10a) is in contact with the eyeglass lens. The retaining members of Tagnon therefore are not configured for slanting the eyeglass lens while the eyeglass lens is in a clamped condition.

It is therefore respectfully submitted that there has not been established anticipation of the claims herein, nor a prima facie case of obviousness, based on the criteria of: some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine or modify the references; a reasonable expectation of success; and the prior art teaching or suggesting all of the claimed limitations.

It is submitted that the invention is presented in clear and concise patentable terms, that all objections and rejections have been properly addressed herein, and that the application is in condition for allowance. Prompt, favorable treatment of the application is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this communication, including fees for any necessary time extension, hereby requested, and the fee under 37 CFR §1.17(p) for submission of the enclosed Information Disclosure Statement under 37 CFR §1.97(c), to our Deposit Account No. 50-0305. The Examiner is encouraged to call Robert J. Schneider at the direct number (312) 845-3919 with any questions that arise in connection with this application.

Respectfully submitted,



Jane S. Berman, Reg. No. 43,494

Dated: November 3, 2004
Attorneys for Applicant:
Robert J. Schneider
Jane S. Berman
CHAPMAN AND CUTLER LLP
111 West Monroe Street, 16th Floor
Chicago, IL 60603-4080
Telephone (312) 845-3919